

The Humble

PETITION

OF THE

Protestants of France

TO THE

French-KING,

To Recall His Declaration for taking their Children from them at the Age of Seven Years.

SIR,
YOUR Majesties Protestant Subjects of the Reformed Religion, most humbly represent to your Majesty, That the registering of your Majesties Declaration of the 17th of *June* last, plunges them into a Desolation, which scarcely leaves them the free use of their senses. Yet they presume to address to your Majesty, perswaded, that being, as they are most Humble and Loyal Subjects, the access to your Majesties Justice will not be denied them, and that your Majesty will not reject their Complaints; therein imitating God, whose Ears are always open to the Cries of the Distressed.

In this Confidence, (Sir) prostrate at your Majesties Feet, with all the humble Reverence they are capable of, they beseech your Majesty to consider, That this Declaration is directly contrary to the Edict of *Nants*, under which they live, and which was given them as a perpetual and irrevokable Law. For, besides that this Edict of *Nants* necessarily supposes, that they should enjoy all the Rights, both Natural and Civil, that are common to all your Majesties Subjects; and that, among these Rights, that which makes Parents Masters of the Education of their Children, till they attain ripeness of age, is one of the most Sacred and Inviolable, it is, upon the account of these Articles also, their due and indisputable Right.

The 18th Article expressly forbids, that any of their Children, who are of the said Religion, should, either by force or perswasion, contrary to the will of their Parents, be taken away from them, to be Baptized or Confirmed in the *Roman Catholick* Church. Without all contradiction, this prohibition extends beyond seven years of age, since that none are Confirmed till after that age; and if it be not precisely set down till the age of 14. that is to say, during all the time that Children are not of years of consent, and have no legal will, the reason is, because it was presupposed, as a Maxim which was never yet called into question. It is in the same sense that the 38th Article is, concerning the particulars which gives to the Parents, professing the said Religion, liberty to provide such Tutors for their Children as they think good, and substitute one or more, either by Wills or Codicels, or other Declarations past in the presence of Notaries, or written and signed with their own hands. Your Majesty (Sir) is most humbly prayed to weigh exactly this term of Tutors, even after the death of their Fathers; for it clearly demonstrates that the Edict had respect to the Right of Parents over their Children,

not only during their own lives Inviolable, but as a Right extending it self after their Death ; which no zeal of Religion, or other pretence whatsoever, can infringe ; and far from being limited to the age of seven years, it maintains and keeps it self in force, during the whole course of their Education, which scarcely begins at that age, and is very much restrained, when it is confined within the term of 14 years, the age of natural ripeness.

Sir, the Edict of *Nantz* was not the first Law in this Case ; By the Petition answered in the year 1571. in the Reign of King *Charles IX.* a time in which those of the Protestant Reformed Religion were most afflicted, the Rights of Parents over their Children were so Inviolable, that it was said in the 24th. Article, that they should not be molested in the Instruction of their Children in their own Religion, according to their Consciences ; and that after the death of the Fathers, those Children should be bred up in the same Religion, till they accomplished 14 years of age, at which time they should be at liberty.

But none of your Majesties Predecessors have more established the Authority of this Law, than your Majesty ; For, besides several Orders given in your Majesties Council of State, in the years 1663. and 1665. which are full and plain in the Case, the Declaration of 1669. doth expressly forbid all sorts of persons whatsoever, not only to take away by force or stealth any of the Children of the said Religion, but also to presume to instruct them, or to perswade them to make any Declaration of the change of their Religion, before the Males arrive to to the age of 14. and the Females of 12. and in the mean time, before they accomplish this age, that the Children born of Fathers of the said Religion, should remain in the hands of their Kindred of the said Religion, and all those that should detain them, should be constrained to render them by the usual ways and means of recovery. The same thing was confirmed by a Determination which the Archbishop of *Rhemes* caused to be set forth, in the month of *August* 1676. by which he judged and declared, That no Maid should be received into the *House of the Propagation of the Faith at Sedan*, till she had fully accomplished 12 years of age, and that she had plainly shewed a true desire of Conversion ; presupposing, that there could not be an effective Conversion before that age.

If yet (Sir) your Majesty will condescend to hear the most humble Remonstrances of your Supplicants, let it please your Majesty to permit them to set before you, that there will be a vast difference found between your Majesties own Declaration in 1669. and this. The first left unto Nature its Privileges, and unto men the liberty of acting according to their Consciences ; No ways thwarted the Principles of Civil and Canon-Law, nor hindred Parliaments from proceeding according their ordinary Rules : This gave to strangers a pattern worthy of their imitation, and to the *Roman Catholick* Religion, the glory of preserving measures of Equity, conformable to the practice of all the ancient Churches. But, on the other hand, this Law no ways agrees with all these Noble Characters. Nature will suffer violence, when Children shall be torn from the Bosoms of those to whom she had at seven years of age more especially committed them then before, because that at that age they begin to be capable of Instruction, and their Fathers then actually enter into possession of their Right to give it them. The Consciences of your Petitioners will thereby be brought into the most extream perplexity that can be imagined, inas much as the right exercise of the paternal authority is one of the strongest and most indispensible Duties of which man is to render an account to God, whereby the Father is made responsible before him for all the Actions of his Children as a Trust reposed in him by Nature as long as they continue under his Direction. Civil and Ecclesiastical Rites further plead for the Supplicants ; for if Children are capable

pable before their ripe age of choosing a Religion, which is the most Important Action of the whole life, why are they not allowed either to make Wills, or to bear any valuable Testimony in the Courts of Justice, or to make Vows, or to pass any Act of the free consent of their wills? Sir, your Parliaments, which complying with those Maxims, have never made Children liable to Capital Punishments, will find themselves obliged to abolish this Custom and Usage of all Nations and all Ages; for the Children of 7 years old being rendered capable of changing their Religion, are at the same time rendered capable of falling into the Crime of those they call *Relapsers*, and made liable to the capital Punishments of it, ordained by your Laws, foreign Nations and even those that are Infidels, will believe themselves authoriz'd by this example, against those who profess a Religion contrary to theirs. To conclude, the Roman Catholick Religion will not be honour'd by it, when it shall be said, that it is the Issue of Conversions at 7 years old, that is to say, in an Age wherein Reason hath no force, nor Judgment no Rule, and by consequence the change of Religion cannot proceed from a legitimate choice. It may be added that this Law breaks off from the practice of the whole Christian Church, for suppose the Supplicants Hereticks, it is a constant Truth, that the Church never took away Children under Age from those that were regarded as Infidels, living with them in the same Civil Society.

It was (untill now) never known among Christians, and other Nations of the World, that the paternal power of Parents over their children hath been limited to seven years of Age, principally in the point of their Religion. One of the greatest Doctors of the Roman Catholick Church decides the Case, that the Children of the Jews ought not to be baptiz'd against the will of their Parents, for two Reasons; One, that the practice of the Church never gave any countenance to it. The other, that natural Righteousness opposes it. In effect, when some Kings of *Spain* or *Portugal*, as *Sizibuts*, and *Emmanuel* the second, have attempted it, the 4th. Council of *Toledo* oppos'd the action of the first, and all the World condemn'd the other. And *Osius* a Famous Bishop, who relates the Ordinance of *Emmanuel*, appointing the Male-children of the Jews to be taken away under the age of 14. Years, says, that it was an Action that had no foundation either in Law or Religion, tho it seem'd to proceed from a good Intention, and had an appearance of Piety, because that God requires of men a voluntary Sacrifice, and will not that Consciences be forc'd, to which he adds the horrible circumstances that accompanied this Law, when those unhappy Fathers, who fear'd to have their Children ravish'd from them, fell into such excess of Raging grief, that they cast their Children into wells and themselves with them. The Supplicants fear nothing like that by the Grace of God, and the Justice of your Majesty. But yet they are perswaded the Declaration cannot be executed against them, but with most deplorable consequences.

Let it not be said, that it commands not to force the children out of the bosom of their Parents, but only puts them into a freedom of chusing the Catholick Religion; for in the first place, the force is not to be considered as acted upon the Children but on their Fathers, to whom Nature gave them. The same forecited Doctor makes the same judgment and argument in the Case; Injustice (says he) would be done to the Jews, if their Children should be baptiz'd against their consent; for the paternal power which they have over their children, would be injuriously forc'd from them. He adds, It is that which the Church never did, even when it had Catholick Princes, as *Constantine* and *Theodosius*, who had no doubt permitted it, if it had not been a practice contrary to Right Reason. Also the Edict of *Nants* in the

18. Article equally forbids Force and Perswasion, and gives the name of Violence to both. And all the Ordinances have as severely provided for the the punishment of the Rape of Perswasion, as that of Force. But in the second place it is an act of Force and Violence to take children at seven years old out of the hands of their parents, as well as if they were still hanging on the breast. For if Natural and Civil Right puts Children under the power of their Fathers till their ripe age, it is the same thing to take them out of it seven years old, as if they were forc'd from them out of the Cradle ; for the paternal power is equally violated in both.

If it be said that Children at seven years old are capable of mortal sin, and that being so, they may make choice of a Religion ; besides, that to speak generally, this Principle is very uncertain, and that it would be a strange course to judge the Supplicants according to Principles which they acknowledge not ; Who sees not (*Sir*) that the Consequence is not just, and that there is great difference between the first Ideas of Good and Ill which children may have in the Actions of their life, and the Capacity of Judging in matters of Religion, or rather determining whether they should forget the Faith wherein they have been educated, to embrace another which is unknown to them, and thus to make a Choyce which is the greatest Effort of the understanding of a Man, when he wholly applies himself to seek after his Salvation.

Your Petitioners will not here insilt on the sad and mischievous Consequences of the execution of this Law, which appears so terrible to them. The despair into which Fathers and Mothers will be driven, the unavoidable disagreement between them and their children, the perverting the Order intended by Nature for their education who begin by a submission to the will of their Parents, to be formed into subjection to Magistrates and Princes, and rendred good Commonwealths-men. The forced flight of many Families out of the Realm, The *Libertinism* of Children, who will no more fear Correction, and who will always have a pretence to withdraw themselves from it, whereby even the Fruitfulness of Marriages, which is the support of Commonwealths, will come to be apprehended, and a multitude of Quarrels will every day arise amongst all sorts of people ; Which, together with a thousand other Inconveniences will ensue to the disturbance of Civil Society.

Your Petitioners are with the rest of the World convinced that Your Majesty can execute whatsoever you do resolve ; but they also know that you are pleased to temper your Authority and Power with your Bounty and Justice, according to the example of God himself, who never displays his infinite Power over his Creatures, but that at the same time he regards them with eyes of Compassion. Thus (*Sir*) it is your Justice that the Supplicants in the excess of their Sorrows, implore ; To it they address their Cries and Teares ; And, without Failing in the duty they owe to your Majesties Orders, it is to it they presume to say, that they shall chase all manner of Sufferings, and even death it self, rather than to endure a separation from their Children in so tender an age, and to be made incapable of rendring that account to God of them, which their Consciences layes an obligation upon them to enddeavour.

For these Reasons, may it please your Majesty by Revoking the new *Declaration* of the 17th. of *June* last past to Ordain that the *Declaration* in the Month of *February* 1669 may be executed according to its Form and Tenor. And your Petitioners will continue their Vowes and Prayers for your Majesties Health and Prosperity, and the Glory of your Reign.